

This record is a partial extract of the original cable. The full text of the original cable is not available.

C O N F I D E N T I A L SECTION 01 OF 02 TEGUCIGALPA 003012

SIPDIS

STATE FOR WHA/CEN, DS/ICI/ITA

E.O. 12958: DECL: 10/31/2012

TAGS: [PARM](#) [PGOV](#) [KCRM](#) [HO](#) [ASEC](#)

SUBJECT: AMBITIOUS NEW GUN CONTROLS IN EFFECT--BUT WILL THEY BE EFFECTIVE?

Classified By: Political Chief Francisco Palmieri;
Reasons 1.5 (b) and (d).

1. (U) SUMMARY: On October 12, a new Honduran gun control law went into effect, requiring registration of all pistols, revolvers, rifles and shotguns with the National Criminal Investigation Division (DGIC) of the Ministry of Public Security (MoPS). The new law requires registration by both individuals and businesses. It also mandates that registrants present both the firearm and samples of the appropriate ammunition, so that ballistic fingerprints can be recorded--although the GOH lacks the technological capability to record or use such potential evidence. In exchange, owners will receive registration documentation, including a license to carry the weapon. The new law prohibits civilians from owning or possessing automatic weapons such as AK-47s, M-16s and Uzis. On October 17, the GOH announced a delay in the implementation of the law until November. END SUMMARY.

NEW LAW IN EFFECT

2. (U) On October 12, the new Honduran Law for the Control of Firearms, Munitions and Explosives went into effect, requiring registration of all pistols, revolvers, rifles and shotguns with the National Criminal Investigation Division (DGIC) of the Ministry of Public Security (MoPS). The law requires all gun owners, both individual and commercial, to register their weapons. (NOTE: Due to the shortage of police personnel in Honduras, there exists a plethora of private security firms that arm their guards. Approximately 35,000 to 40,000 men work as security guards, with 20,000 working as armed guards for registered and non-registered companies. END NOTE.) Registration was to commence October 22, with owners having six months to register their firearms. Registration was to be done alphabetically--for example, in October individuals whose last names begin with A through Ch were to register, in November D through G, etc. However, on October 17 the GOH announced that the registration would not commence until November--presumably to allow the GOH additional time to educate the public about the new requirements. (NOTE: Interestingly, gun owners need not provide specific proof of ownership during this initial six-month period in order to register their gun. Thereafter, owners must have specific information such as the date the firearm is acquired, the place of purchase and from whom the firearm is purchased. END NOTE.)

3. (U) The law requires gun owners to appear in person at the DGIC offices in Tegucigalpa or San Pedro Sula, since the lack of government resources makes it impossible for registration to take place in other locations. Individuals must pay a \$30 registration fee for each firearm registered, and may register up to five firearms. Should an owner lose his permit, there is a \$12 fee to replace it. Additionally, residents of Tegucigalpa must pay a \$12 tax to the city and present proof of payment at the time of registration with the DGIC.

4. (U) In addition to the requisite fees, applicants must present their national identification card (along with a photocopy for the DGIC to retain), two (according to some accounts four) recent photographs of themselves and documentation that they own the firearms. Moreover, the law requires that gun owners bring the gun itself, along with three (3) rounds of ammunition. This requirement is designed to enable the GOH to do ballistic "fingerprinting," though reportedly the GOH lacks the technology to actually develop and utilize ballistic fingerprinting evidence.

5. (U) Registration for businesses that own firearms differs somewhat from individual registration. Businesses provide a variety of information, including the name and type of the business, type of legal entity (e.g., corporation), chamber of commerce registration number, proof of municipal business registration, tax identification number, name of its legal representative, the number and type of arms to be registered and a list of people who will be carrying the arms. As in the case of individual registration, businesses must present three (3) rounds of ammunition for each firearm, in order to allow for ballistic fingerprinting. All registrants (both individual and commercial) receive documentation that their

firearms are properly registered, as well as licenses to carry the weapons. (NOTE: The RSO points out that the GOH track record for attempting to register security companies is poor. Over a year ago, the previous Minister of Public Security (Gautama Fonseca) mandated that security companies register. A number of firms complied with the onerous and detailed requirements, including Post's contractor InterCon. To date, not one security firm has received a license from the MoPS. END NOTE.)

16. (U) Honduras' new Law for the Control of Firearms, Munitions and Explosives prohibits civilians from owning or possessing automatic weapons such as AK-47s, M-16s and Uzis. Persons carrying any firearm without the appropriate registration and permit are subject to fines.

EFFECTIVE NEW LAW?

17. (U) Honduras is still suffering from serious problems with crime, despite President Maduro's so-called Zero Tolerance campaign that he implemented shortly after his inauguration in January 2002. The Maduro Administration has consistently voiced its concern about the proliferation of weapons in Honduras, and despite deploying the Honduran Armed Forces to assist the police, crime remains a significant issue. Honduras has the third highest homicide rate in Latin America--trailing only Colombia and El Salvador. Gang violence continues to be a grave problem in the larger cities, as are both arms smuggling and drug trafficking.

18. (U) Until passage of this law, Honduras had no effective arms control or regulation of firearms. Honduras is known for having a significant number of firearms in the hands of its civilian population. Moreover, according to the RSO, approximately 80% of the firearms in Honduras are illegally obtained. La Armeria (an entity connected to the Honduran Armed Forces) is the sole legal distributor/seller of firearms in Honduras.

COMMENT

19. (C) The passage of this law underscores the Maduro Administration's commitment to tackle the firearms dilemma that exists in Honduras. At this stage, it is unclear as to whether or not Honduras' new gun control law will be effective. Some sources charge that while the new law is intended to appear consistent with the GOH's anti-crime goals, the real motivation is to generate sorely-needed revenue (with some municipalities hopping on the bandwagon). The cost will be great for security companies with thousands of weapons, and one of the hardest hit will be the U.S.-based InterCon. Moreover, the ability of the police to safeguard gun owners' names, addresses and weapons information is questionable at best, thereby raising some additional security concerns. To a large extent, the success of the new law will depend not only upon efficient administration of the system for registering guns and issuing permits, but also on the ability to prosecute offenders who violate the law. The current inability of authorities to fairly and evenhandedly prosecute common criminals raises questions about the GOH's ability to guarantee the proper enforcement and implementation of this new gun law.

10. (C) An RSO source reports that one cause for the delay in the implementation of the new law is that the DGIC wants to receive its portion of related fees in cash. Reportedly, the relevant parties are unable to agree how to handle the municipality's share of the fees. Moreover, to date Honduras does not have the equipment, technical expertise or procedures required to actually do the ballistic fingerprinting. There are unconfirmed allegations that a company named ATESA (with connections to Maduro's inner circle) may be seeking to provide the GOH with the necessary equipment to do ballistic fingerprinting.

PALMER